

81-80
51

**PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mr. Mrs. Gary Hankin legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 400.1 To permit an accessory structure (swimming pool) in the side yard, instead of the required rear yard.

of the Zoning, Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Septic in rear yard.
2. Pool structure subject to failure, due to excess fill earth in rear yard.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

DATE October 29, 1980
ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of August, 1980 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of October, 1980 at 9:30 o'clock A.M.

John L. Wimbley
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

September 18, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #39, Zoning Advisory Committee Meeting, August 23, 1980, are as follows:

Property Owner Gary and Debra Lynn Hankin
Location: S/S Walnut Avenue 510.95' E. of Garrison Forest Avenue
Acres: 202.22/191.97 X 229.77/188.03
District: 4

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planner III
Current Planning and Development

**BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE**



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Public Planning
Building Department
Bureau of Education
Public Administration
Industrial Development

Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

RE: Item No. 39
Petitioner - Gary Hankin et ux
Variance Petition

Dear Mr. & Mrs. Hankin:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bac

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL P.E.
DIRECTOR

September 26, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #39 (1980-1981)
Property Owner: Gary & Debra Lynn Hankin
S/S Walnut Avenue 510.95' E. of Garrison Forest Avenue
Acres: 202.22/191.97 x 229.77/188.03
District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement #47402 executed in conjunction with the development of Timberfield in the Valley, of which this property comprises Lot 12, "Timberfield in the Valley", recorded E.H.K., Jr. 38, Folio 1.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review.

Very truly yours,

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:FAM:FWR:ss

cc: J. Wimbley

T-NE Key Sheet
58 NW 29 Res. Sheet
NW 15 H Topo
49 Tax Map

BALTIMORE COUNTY, MARYLAND

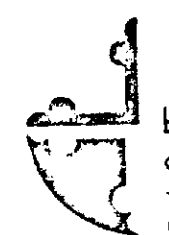
INTER-OFFICE CORRESPONDENCE

TO: Rick Commodari Date: August 28, 1980
Charles E. Burman
FROM: Zoning Advisory Meeting August 26, 1980
SUBJECT:

ITEM NO. 39 Standard Comments
ITEM NO. 39 Standard Comments
ITEM NO. 40 See Comments.
ITEM NO. 41 Standard Comments
ITEM NO. 42 See Comments
ITEM NO. 43 See Comments

Charles E. Burman
Charles E. Burman
Plans Review Supervisor

CEB:rrj



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

September 3, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comments for Items 36, 37, 39, and 41 of the Zoning Advisory Committee Meeting of August 26, 1980.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSP/hmd



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., MPH
DEPUTY STATE & COUNTY HEALTH OFFICER

October 2, 1980

Mr. William R. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #39, Zoning Advisory Committee meeting of August 26, 1980, are as follows:

Property Owner: Gary & Debra Lynn Hankin
Location: S/S Walnut Ave. 510.95' E. of Garrison Forest Avenue
Existing Zoning: R.C. 5
Proposed Zoning: Variance to permit an accessory structure (swimming pool) in the side yard instead of the required rear yard.
Acres: 202.22/191.97 X 229.77/188.03
District: 4th

The dwelling is served by a drilled well and sewage disposal system, both of which appear to be functioning properly. The proposed pool will not interfere with the location of either the well or septic system; therefore no health hazards are anticipated.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

ORDER RECEIVED FOR FILING

Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following findings of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s), the Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of October, 1980, that the herein Petition for Variance(s) to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Jan M. H. Jung
Deputy Zoning Commissioner of Baltimore County

Gary Hankin, et ux
Case No. 81-80-A

Mr. Jay Brecker, 3312 Nancy Ellen Way, testified in opposition to the granting of this variance. His property is located south and west of the subject property and abuts same. He is on the down-hill side of the subject property. He testified that he now has some erosion problems and fears they will be increased by the installation of the pool in the proposed location. He also testified that there is some fill involved on the proposed location, but he did not remember how deep it actually was. He also expressed fears that should the pool for any reason rupture or collapse, all the contained water would come directly onto his property. This concluded Mr. Brecker's testimony.

In order for this Board to grant a variance, the Petitioner must convince the Board that to deny the request would result in practical difficulty and unreasonable hardship upon the Petitioner. In this instant case, these requirements are met, since if the request were denied, the pool could not be built at all. The Board will mention that granting the requested variance in no way assures that the pool can be erected. The variance merely allows the Petitioner to apply for a building permit. Before erection can start or be completed, all applicable requirements of the Basic Building Code and all other regulations regarding grading, soil preservation, erosion control, etc., must be complied with. For these reasons, the Board is of the opinion that the requested variance should be granted and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of April, 1981, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated October 20, 1980, be AFFIRMED and the herein Petition for Variance to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Dept. of Public Works and the Office of Planning and Zoning.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert V. Dubel, Superintendent
Towson, Maryland - 21204

Date: Sept. 2, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: August 26, 1980

RE: Item No: 38, 39, 40, 41, 42, 43,
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
William T. Hockett
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

Gary Hankin, et ux
Case No. 81-80-A

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hockett
William T. Hockett, Acting Chairman

Leroy B. Spurrer
Leroy B. Spurrer

Patricia Phipps
Patricia Phipps

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of Walnut Ave., 510.95'
E of Garrison Forest Ave.,
4th District : OF BALTIMORE COUNTY

GARY HANKIN, et ux, Petitioners : Case No. 81-80-A

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 30th day of September, 1980, a copy of the foregoing Order was mailed to Mr. and Mrs. Gary Hankin, 3409 Walnut Avenue, Owings Mills, Maryland 21117, Petitioners.

RE: PETITION FOR VARIANCE : BEFORE
S/S of Walnut Ave., 510.95'
E of Garrison Forest Ave., : COUNTY BOARD OF APPEALS
4th District : OF

GARY HANKIN, et ux, : BALTIMORE COUNTY
Petitioners : No. 81-80-A

OPINION

This case comes before this Board on appeal from a decision of the Deputy Zoning Commissioner's granting the requested variance to allow the erection of an in ground swimming pool in the side yard of the property known as 3409 Walnut Avenue, Baltimore County, instead of the rear yard, as normally required by the Baltimore County Zoning Regulations. The property in question is zoned RC 5, providing for building lots at least one (1) acre in area, property in question being 1.2 acres.

The Petitioner presented this Board a site plan showing the proposed location of the subject pool and various other pertinent facts, entered as Petitioners' Exhibit #1. Mr. Wayne Schleter, the contractor proposed to erect said pool, testified from this site plan as to why the variance was necessary. He testified that due to Baltimore County's various requirements regarding distances from septic systems, wells, existing homes, etc., this proposed location was the only practical place it could be erected. He also testified that because of the down slope from Walnut Avenue south to the rear of the lot, much fill had been required in the erection of the home. He stated the pool should be erected on virgin soil or at least firmly compacted fill soil and this proposed location best suited this requirement. He also testified that prior to erection, even this area would be tested to be sure it meets these requirements. He also testified that in his opinion a retaining wall would probably be necessary on the northern side of the pool to retain the earth on the slope above mentioned. He also testified that his company completely guarantees his pool installations against any leakage of any kind as long as the present property owner maintains ownership. This concluded Petitioners' testimony.

RE: PETITION FOR VARIANCE : BEFORE
S/S of Walnut Ave., 510.95'
E of Garrison Forest Ave., : COUNTY BOARD OF APPEALS
4th District : OF

GARY HANKIN, et ux, : BALTIMORE COUNTY
Petitioners : No. 81-80-A

OPINION

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Gary Hankin, et ux
Case No. 81-80-A

Mr. Jay Brecker, 3312 Nancy Ellen Way, testified in opposition to the granting of this variance. His property is located south and west of the subject property and abuts same. He is on the down-hill side of the subject property. He testified that he now has some erosion problems and fears they will be increased by the installation of the pool in the proposed location. He also testified that there is some fill involved on the proposed location, but he did not remember how deep it actually was. He also expressed fears that should the pool for any reason rupture or collapse, all the contained water would come directly onto his property. This concluded Mr. Brecker's testimony.

In order for this Board to grant a variance, the Petitioner must convince the Board that to deny the request would result in practical difficulty and unreasonable hardship upon the Petitioner. In this instant case, these requirements are met, since if the request were denied, the pool could not be built at all. The Board will mention that granting the requested variance in no way assures that the pool can be erected. The variance merely allows the Petitioner to apply for a building permit. Before erection can start or be completed, all applicable requirements of the Basic Building Code and all other regulations regarding grading, soil preservation, erosion control, etc., must be complied with. For these reasons, the Board is of the opinion that the requested variance should be granted and will so order.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of April, 1981, by the County Board of Appeals, ORDERED that the Order of the Deputy Zoning Commissioner, dated October 20, 1980, be AFFIRMED and the herein Petition for Variance to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Dept. of Public Works and the Office of Planning and Zoning.

Gary Hankin, et ux
Case No. 81-80-A

3.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Acting Chairman

LeRoy B. Spurrer
LeRoy B. Spurrer

Patricia Phipps
Patricia Phipps

September 17, 1980

Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

NOTICE OF HEARING

RE: Petition for Variance - S/S Walnut Ave., 510.95' E of
Garrison Forest Avenue - Case No. 81-80-A

TIME: 9:30 A.M.

DATE: Thursday, October 16, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

cc: Mr. Wayne Slechter
Chesapeake Pools
P.O. Box 7786
Essex, Maryland 21221



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-5353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 30, 1980

Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

RE: Petition for Variance
S/S Walnut Ave., 510.95' E
of Garrison Forest Ave
Case No. 81-80-A

Dear Mr. & Mrs. Hankin:

This is to advise you that \$39.87 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sonara Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. W. E. Hammond
Zoning Commissioner Date: September 26, 1980
FROM: Norman E. Gerber, Director
Planning and Zoning
SUBJECT: Petition No. 81-80-A Item 39

Petition for Variance for accessory structure
South side of Walnut Avenue, 510.95 feet East of Garrison
Forest Avenue
Petitioner- Gary Hankin, et ux

Fourth District

HEARING: Thursday, October 16, 1980 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

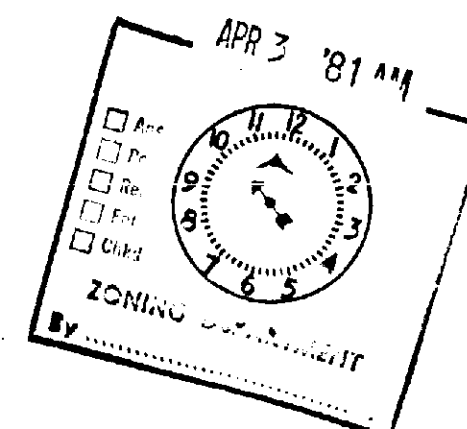
Norman E. Gerber
Norman E. Gerber
Director Office of Planning
and Zoning

NEH:JCH:ab

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
April 3, 1981



Mr. Jay Brecker
3312 Nancy Ellen Way
Owings Mills, Md. 21117

Dear Mr. Brecker:

Re: Case No. 81-80-A
Gary Hankin, et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Mr. & Mrs. Gary Hankin
J. W. Hession, Esq.
J. E. Dyer
Jean Jung
William Hammond
Norman Gerber
James Hoswell

November 19, 1980

Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

RE: Petition for Variance
S/S of Walnut Ave., 510.95' E of
Garrison Forest Avenue
Gary Hankin, et ux
Case No. 81-80-A

Dear Mr. & Mrs. Hankin:

Please be advised that an Appeal has been filed by Mr. Jay T. Brecker, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH:sj

cc: John W. Hession, III, Esquire
People's Counsel

PETITION FOR VARIANCE

4th District

ZONING: Petition for Variance for accessory structure
LOCATION: South side of Walnut Avenue, 510.95 feet East of Garrison Forest Avenue
DATE & TIME: Thursday, October 16, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit an accessory structure (swimming pool) in the side yard in lieu of the required rear yard

The Zoning Regulation to be excepted as follows:

Section 400.1 - Accessory Structures

All that parcel of land in the Fourth District of Baltimore County

Being the property of Gary Hankin, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, October 16, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

November 18, 1980

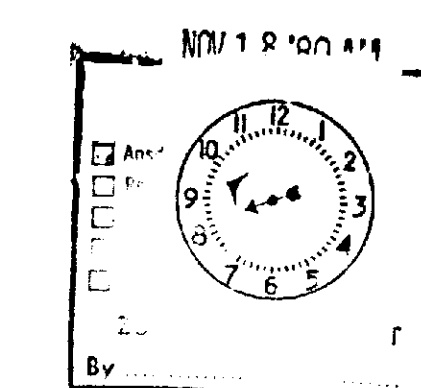
Mr. William E. Hammond
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

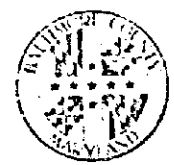
Dear Mr. Hammond:

I am appealing the variance granted to Mr. & Mrs. Gary Hankin, 3409 Walnut Avenue, Owings Mills, Maryland 21117. The No. 81-80-A (Item No. 39) is the variance for which I am appealing. This variance was granted on October 20, 1980.

Sincerely yours,
Jay T. Brecker

3312 Nancy Ellen Way
Owings Mills, MD 21117





BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3033

WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 20, 1980

Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

RE: Petition for Variance
S/S of Walnut Avenue, 510.95' E of
Garrison Forest Avenue - 4th Electric
District
Gary Hankin, et ux - Petitioners
NO. 81-80-A (Item No. 39)

Dear Mr. & Mrs. Hankin:

I have this date passed my Order in the above captioned matter in accord with the attached.

Very truly yours,

Jan M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mr. Jay Brecker
3312 Nancy Ellen Way
Owings Mill, Maryland 21117

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

Jan. 8, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-80-A

GARY HANKIN, et ux

Variance-Swimming pool in side yard,
instead of required rear yard

S/S Walnut Ave., 510.95' E of
Garrison Forest Ave.

4th District

10/20/80 - DZC (Jung) GRANTED
variance subject to site plan

ASSIGNED FOR:

cc: Mr. & Mrs. G. Hankin

Mr. Jay Brecker

John W. Hessian, Esq.

J. E. Dyer

W. Hammond

J. Jung

Norman Gerber

Petitioners

Protestant

People's Counsel

Zoning Office

" "

" "

Planning & Zoning

June Holmen, Secy.

1/8/81 - Notified the following of hearing set for Tues., March 31, '81, at 10 a.m.:

Mr. and Mrs. Hankin
Mr. Jay Brecker
J. Hessian
J. Dyer
J. Jung
W. Hammond
N. Gerber

March 17, 1981

Mr. Jay T. Brecker
3312 Nancy Ellen Way
Owings Mills, Md. 21117

Re: Case No. 81-80-A
Gary Hankin, et ux

Dear Mr. Brecker:

As per our telephone conversation, it is my understanding that you have been able to rearrange your schedule so that you will be available on March 31, 1981, the scheduled hearing date for the above captioned case. Hence, your requested postponement will now not be necessary.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman

WA:ie

JAY T. BRECKER
CERTIFIED PUBLIC ACCOUNTANT
3312 NANCY ELLEN WAY
OWINGS MILLS, MARYLAND 21117
TELEPHONE 301-356-4222

March 6, 1981

June Holmen, Secretary
County Board of Appeals
Court House - Room 219
Towson, Maryland 21204

Re: Case No. 81-80-A

Dear Ms. Holmen:

I am hereby requesting a postponement of the hearing in the above-captioned action, which has been scheduled for Tuesday, March 31, 1981, at 10:00 a.m.

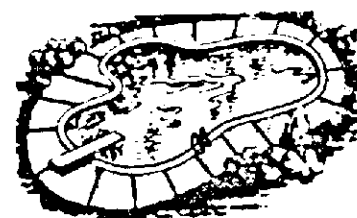
The reason for my request is that I will be out of Baltimore on a business trip, which had been previously scheduled and cannot be re-scheduled. Additionally, I am requesting that the hearing be held after the month of June since my prior commitments will not permit me to be in Baltimore until July, 1981.

Should you need any additional information, please do not hesitate to contact me.

Respectfully yours,

J. T. Brecker
Jay T. Brecker,
Protestant

JTB/d



Chesapeake Precisions Pools

P. O. BOX 7786 - ESSEX, MD. 21221
(301) 574-5117
MHIC No. 1440



Description of property to accompany
Zoning Variance Baltimore County

Beginning at a point on the southside of Walnut Ave.

510.95' East of Garrison Forest Ave. and being known and designated as Lot No. 12, Block B, as shown on a Plat entitled "Flat No. 1, Timberfield-In-the-Valley, with Plat is recorded among the Land Records of Baltimore County in Liber 37 folio 150. The improvements thereon being known as 3409 Walnut Ave.

November 15, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

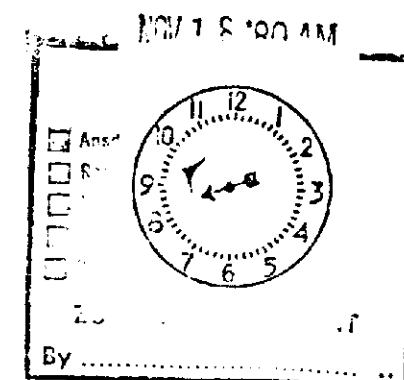
Dear Mr. Hammond:

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Sincerely yours

Jay T. Brecker

3312 Nancy Ellen Way
Owings Mills, Mo. 21117



Mr. & Mrs. Gary Hankin
3409 Walnut Avenue
Owings Mills, Maryland 21117

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 26th day of August, 1980

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Gary Hankin, et ux

Petitioner's Attorney

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

81-80-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th Date of Posting: Sept. 27, 1980

Posted for: PETITION FOR VARIANCE

Petitioner: GARY HANKIN, ET UX

Location of property: S/S WALNUT AVE., 510.95' E OF

GARRISON FOREST AVE.

Location of Signs: FRONT 3409 WALNUT AVE.

Remarks: *Thomas B. Polak*

Posted by: *Thomas B. Polak* Date of return: Oct. 3, 1980

Number of signs: ONE

PETITION FOR VARIANCE
FOR ACCESSORY STRUCTURE
LOCATION: South side of Walnut Avenue, 510.95 feet East of Garrison Forest Avenue
DATE & TIME: Thursday, October 18, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit an accessory structure (swimming pool) in the side yard in front of the regular rear yard.
The Zoning Regulation to be considered is Section 100-1.1.
The Petitioner is: Gary Hankin, et ux, 3409 Walnut Ave., 3409 Forest Ave., Towson, Maryland 21204.
Being the property of Gary Hankin, et ux, as shown on a plat filed with the Zoning Department.
Hearing Date: Thursday, October 18, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
By Order of
WILLIAM E. HAMMOND,
Zoning Commissioner
of Baltimore County
Sept. 25

Office of
COLUMBIA
PUBLISHING CORP.
10750 Little Patuxent Pkwy.
Columbia, MD 21044

19

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR VARIANCE WALNUT AVENUE

was inserted in the following:

- ☐ Catonsville Times
☐ Arbutus Times

weekly newspapers published in Baltimore County, Maryland, once a week for ONE successive weeks before the 26th day of SEPTEMBER 1980 that is to say, the same was inserted in the issues of

9/25/80

COLUMBIA PUBLISHING CORP.

By Nancy Krasner

BALTIMORE COUNTY, MARYLAND
JOURNAL ENTRY VOUCHER

DATE Dec. 31, 1980

JOURNAL ENTRY NO. JE 12-153

EXPLANATION:

CASH RECEIPTS NO. CR

PAYROLL ENTRY NO. PR

To check account 01-662

And credit returned check acct. 01-6227
"Incolletable" check

Jay T. Brecker \$40.00 Acct. Closed CR 093554
filling fee for appeal of case 81-80-A

DEBITS				CREDITS			
ACCOUNT NUMBER	EXP. CODE	AMOUNT	T.C.	ACCOUNT NUMBER	EXP. CODE	AMOUNT	T.C.
3 01-662-000		40.00	12	3 01-6227-00		40.00	10
C.C. County Auditors Zoning File							
T	RE	DE	12-153	T	RE	DE	12-153
PREPARED	TYPED	PROOF READ	VERIFIED	APPROVED	KEY PUNCHED	POSTED	NUMBER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4th

Date of Posting Dec. 5, 1980

Posted for: APPEAL

Petitioner: GARY HANKIN, ET UX

Location of property: 3409 WALNUT AVE., 510.95' E OF GARRISON FOREST AVE.

Location of Signs: FRONT 3409 WALNUT AVE.

Remarks:

Posted by Thomas R. Roland

Date of return: Dec. 5, 1980

Number of Signs: ONE

3/10/81
Mr. Reiter called Mr. Brecker re request for postponement. Talked to Mrs. Brecker as he was out of town. Explained to her that he was denying request for postponement as inasmuch as this case is for a swimming pool it would not be fair to the Petitioner to delay the hearing; that if he is entitled to a variance he should receive it promptly due to rising costs, etc. and therefore, the Board would prefer to hear the case and grant Mr. Brecker his "day in court" at a time convenient to him. Mrs. Brecker will take this matter up with her husband on his return and will get in touch with this office later this week. Mr. Reiter said that if he cannot possibly be here on 3/31, perhaps he could arrange to be here on 4/2 at 9:30 or 4/7 at 9 am.
3/16 3409 Walnut Ave. 3409 Forest Ave. 3409 Garrison Forest Ave.
3409 Walnut Ave. 3409 Forest Ave. 3409 Garrison Forest Ave.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 15 day of August, 1980*

Filing Fee \$ 25.00

Received: ☒ Check

☐ Cash

☐ Other

Petitioner Gary Hankin

Submitted by Wayne S. Spector

*Petitioner's Attorney

Reviewed by WCH

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>WCH</u>			Revised Plans:		Change in outline or description		Yes		No	
Previous case:			Map # <u>21</u>							

Item # 39

DUPLICATE
CERTIFICATE OF PUBLICATION

TOWSON, MD., September 25, 1980

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week of one time successive weeks before the 26th day of October, 1980, the first publication appearing on the 25th day of September 1980.

THE JEFFERSONIAN
S. Leank Shuck
Manager.

Cost of Advertisement, \$ 19.25

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 095101

DATE January 5, 1981 ACCOUNT 01-662

AMOUNT \$40.00

RECEIVED FROM Jay T. Brecker

FOR Filing Fee for Appeal of Case No. 81-80-A

8054400 6 40.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 095100

DATE January 5, 1980 ACCOUNT 01-308

AMOUNT \$10.00

RECEIVED FROM Jay T. Brecker

FOR Returned Check Penalty

8054400 6 10.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 093354

DATE November 19, 1980 ACCOUNT 01-662

AMOUNT \$40.00

RECEIVED FROM Jay T. Brecker

FOR Filing Fee for Appeal of Case No. 81-80-A

8070000 20 40.00

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 091750

DATE 9/17/80 ACCOUNT 01-662

AMOUNT \$25.00

RECEIVED FROM Jalyco Services, Inc.

FOR Filing Fee for Case No. 81-80-A

8070000 20 25.00

VALIDATION OR SIGNATURE OF CASHIER



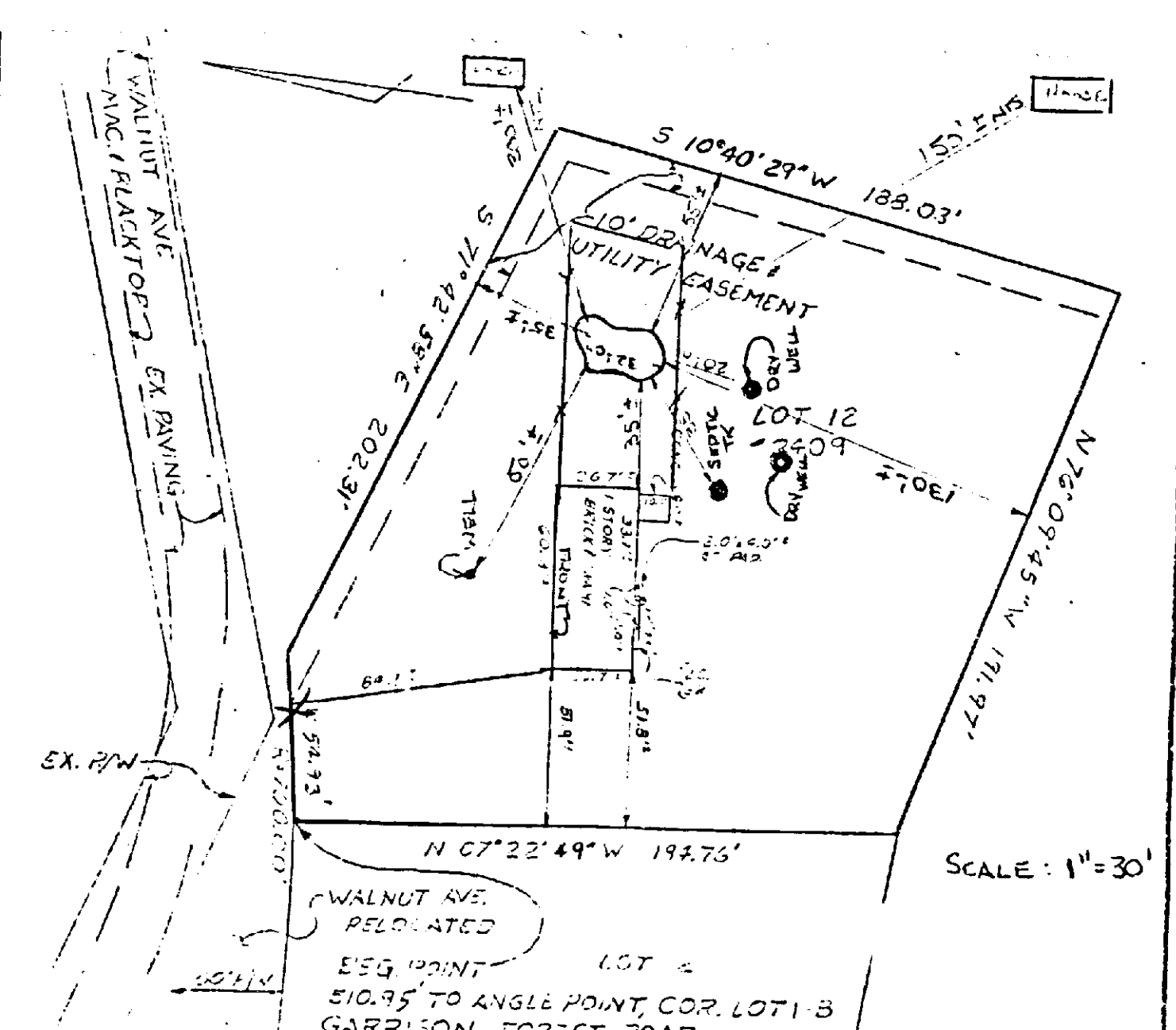
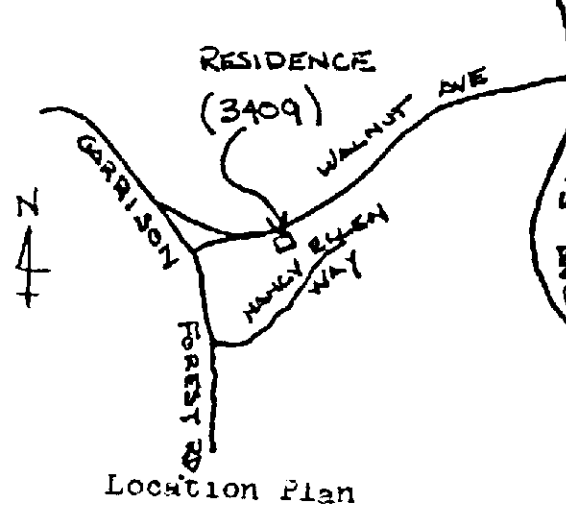
Chesapeake Precision Pools

P. O. BOX 7786 - ESSEX, MD. 21221
(301) 574-5117

MHC No. 1440

Plat to Accompany Zoning Variance

Owner: Mr. & Mrs. Gary Hankin
Address: 3409 Walnut Ave.
Owings Mills, Md. 21117
Zoned: R05
District: 4



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 093505

DATE October 15, 1980 ACCOUNT 01-662

AMOUNT \$39.87

RECEIVED FROM Debra Lynn Hankin

FOR Adv. & Posting for Case No. 81-80-A

8054400 16 39.87

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 093554

DATE November 19, 1980 ACCOUNT 01-662

AMOUNT \$40.00

RECEIVED FROM Jay T. Brecker

FOR Filing Fee for Appeal of Case No. 81-80-A

8070000 20 40.00

VALIDATION OR SIGNATURE OF CASHIER

3409 Walnut Ave., 510.95' E
of Garrison Forest Ave.

GARY HANKIN, et ux

1 SIGN